IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 19649 of 2007(L)

PETITIONER:

B.PRATHAPAN,
COMMERCIAL TAX INSPECTOR (UNDER SUSPENSION),
S/O. R.BALAKRISHNAN, 10/325, PIRAYIRI PANCHAYAT,
"VARADANAM", PIRAYIRI POST, PALAKKAD.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

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1. **THE INSPECTING ASSISTANT COMMISSIONER,**
   COMMERCIAL TAX CHECK POST, WALAYAR.

2. **THE DEPUTY COMMISSIONER,**
   COMMERCIAL TAXES, PALAKKAD.

3. **THE COMMISSIONER,**
   DEPARTMENT OF COMMERCIAL TAXES,
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.19649/2007 L

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE ORDER NO.P4-5012/2006 DTD. 15/11/2006.**

EXT.P2: **COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 3RD RESPONDENT DTD. 18/05/07.**

/TRUE COPY/

P.S.TO JUDGE

KSS

Antony Dominic, J.

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W.P(C).No.19649 of 2007

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Dated this the 1st day of August, 2007.

JUDGMENT

Petitioner is a Commercial Tax Inspector, who was placed under suspension by Ext.P1 order dated 15.11.2006. He has filed this Writ Petition seeking to quash the order of suspension and to reinstate him in service with all benefits. Aggrieved by the suspension order, it is seen that the petitioner submitted Ext.P2 before the third respondent. Now that almost eight months have passed since he has been placed under suspension, it is only proper that the third respondent considers Ext.P2 on merits, with notice to the petitioner and after affording him an opportunity of hearing.

2. Accordingly, I dispose of this Writ Petition directing the third respondent to consider and pass orders on Ext.P2 with notice and opportunity of hearing to the petitioner, within a period of one month from the date of receipt of a copy of this

judgment. Petitioner shall produce a copy of this judgment before the third respondent for compliance.

Antony Dominic,
Judge.

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